



GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

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DEPARTMENT OF PLANNING AND NATURAL RESOURCES

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Office of the Commissioner

April 24, 2024

Honorable Justa E. Encarnacion
Commissioner
Department of Health
Charles Harwood Complex
3500 Est. Richmond
Christiansted, VI 00820

Attention: Paul Ferreras, Project Manager
Via email: paul@pfpe.pro

ZONING CERTIFICATION - REMAINDER 11 ESTATE PENITENTIARY LAND

Dear Commissioner Encarnacion,

As per Title 29, Chapter 3, Subchapter 1, Section 228, Medical Laboratories are found in the Zoning Code under the category "Medical Laboratory Services" and are permitted as a matter of right in the B-1, B-2, B-3, B-4, C, and P zoning districts.

Emergency Medical Services or Ambulance Service is found in the Zoning Code under the category "Ambulance Service, Office & Garage" and is permitted as a matter of right in the I-2 zoning district.

Based on the above existing zoning categories, the R-3 zoned Plot No. Remainder 11 Estate Penitentiary Land would not be permitted for the uses Medical Laboratory or Emergency Medical Services.

Temporary zoning approval was granted December 28, 2022 using the category "Medical Clinics" so that the CZM Federal Consistency process would not be held up. Coastal Zone Management, Earth Change, and Building Permits were issued; however, the Certificate of Occupancy cannot be issued until a zoning map amendment, as advised in the temporary approval, is granted by the Legislature. It was noted as part of the temporary approval that it is advised a zoning map amendment to the P-Public zoning district be petitioned where the Medical Laboratory can be permitted as a matter of right and the Emergency Medical Services be permitted as an accessory use to the Medical Laboratory. The uses cannot be permitted as an accessory use to "Medical Clinic" as the site will not be operating as a Medical Clinic and is not located upon the same lot (Zoning lot or Lot of record) as the principal use (i.e. Medical Clinic).

DPNR has taken some liberties in granting a temporary approval but a rezoning to the P-Public zoning district is required to be consistent with the law.

If there are any further questions or concerns, please contact Leia LaPlace, Territorial Planner, Division of Comprehensive and Coastal Zone Planning (CCZP) at 340-773-1082 extension 2215 or leia.laplace@dpnr.vi.gov.

Sincerely,



Jean-Pierre L. Oriol
Commissioner

cc: Amanda Jackson-Acosta, Director, Division of Permits
CCZP file